

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO.: 5:97CR300
CRIMINAL DOCKET NO.: 5:99CR48**

UNITED STATES OF AMERICA)
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vs.)
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GREGORY ROLAND PRUESS,)
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Defendant.)
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ORDER

THIS MATTER is before the Court on its own Motion for Status Update. On August 23, 2004, this Court issued an Order concerning the forfeiture and return of property to the Defendant. In response, on September 9, 2004, Defendant filed a challenge to the Court's August 23, 2004 Order. Then, on September 15, 2004, the Government filed a Request for Clarification on the Return of Property. Subsequently, on January 6, 2005, this Court directed the parties to advise the Court whether the remaining pending motions needed to be addressed or whether a resolution of those motions had been reached by the parties.

On January 13, 2005, Defendant filed his Response to the Court's January 6, 2005 Order, advising the Court that the issues presented in the pending Motions needed to be resolved by the Court. In contrast, on January 19, 2005, the Government filed its Response to the January 6, 2005 Order, stating that the Court should limit its future involvement in this case and requesting that the Court: (1) set strict time limits for Defendant to comply with the steps needed to return explosive materials to Defendant's father and to transfer the registered firearms to qualified individuals; (2) order the immediate destruction of the unregistered firearms at issue in the case;

(3) order Defendant's father to submit a properly completed application for a Federal explosives license within six months of the date of the Court's Order so that the explosive materials at issue in this case could be returned; and (4) order that any firearm, for which Defendant had not submitted a properly completed transfer documentation, be condemned and forfeited to the United States.

In light of the fact that it has been over a year since Defendant and the Government filed their Responses to the Court's January 6, 2005 Order, a status update on this case is needed in order for the Court to determine what issues are pending for resolution by the Court.

IT IS, THEREFORE, ORDERED that Defendant and the Government have thirty (30) days from the date of this Order to provide a status update of this case to the Court. Specifically, the parties should inform the Court what issues, if any, remain for resolution by the Court.

Signed: June 13, 2006



Richard L. Voorhees
United States District Judge

